

S.B. CRIMINAL MISC. PETITION NO. 754/2003

Date : 14.08.2007

HON'BLE MR. BHAGWATI PRASAD, J.

Mr. Ranjeet Joshi for the petitioner.

Mr. Moolchandani for the State.

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Heard.

Similar misc. petitions have already been decided by this Court in the matter of Rishi & Ors. Vs. State & Anr. (S.B. Criminal Misc. Petition No. 753/2003) decided on 15.12.2006. It was a case where cognizance under Section 500 IPC was quashed. Similar controversy is involved in this case. The case of the petitioner proceeds on the basis of a complaint to the police. A citizen when gets his rights infringed, has a right to approach the police and they cannot fall within the definition of defamation. In that view of the matter, the present petition is covered by decision of this Court referred above.

Accordingly, the present petition is allowed. The order of taking cognizance against the petitioner dated 28.08.02 is quashed and set aside.

(BHAGWATI PRASAD), J.

bjsh